

IN THE UNITED STATES DISTRICT COURT
WESTERN DIVISION OF TEXAS

WACO DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY Lad DEPUTY

RODRICK EUGENE HARRIS

CASE NO. 6:18CV357

V. S.

JURY TRIAL DEMANDED

SOUTHWESTERN CORRECTIONS

D.B.A.

LASALLE CORRECTIONS

C/OFFICER ? HICKS, OFFICER C.BROWN, OFFICER H.CLAYTON,OFFICER S.CARPRINO,OFFICER
M.A. RIDLING,OFFICER T. A. DELEON,OFFICER ? THOMAS,OFFICER ? TORRES,SGT. A. ANTHONY,
LASALLE CORRECTIONS MEDICAL DEPT.

NURSE P. CATES, NURSE ? GRAHAM, NURSE ? RHODES, NURSE S.SMITH

CIVIL RIGHTS COMPLIANT

JURISDICTION

1.

THIS is a Civil Rights Compliant made pursuant to Title 42 USC Sections 1983, 1985, & 1986.

This Honorable Court has jurisdiction over this case pursuant to Title 28 USC Sections 1331 & 1343 (a). This Honorable Court can also exercise supplemental jurisdiction under Title 28 USC Section 1336, & provide in this case declaratory relief pursuant to Title 28 USC Sections 2201 & 2202.

VENUE

2.

At all pertinent times the contours of the Plaintiffs Compliant giving cause to this action occurred in the Waco,Texas McLennan, County ,& this Honorable Court is the appropriate venue pursuant Title 28 USC Section 1331 &

EXHAUSTION

3.

Exhaustion requirements have not been pursued by the Plaintiff in this Civil Action because of the fear of retaliation in this Civil Action because of the fear of retaliation for exercising his Constitutional Rights.

PARTIES

4.

All parties are named in their official & individual capacities.

**A.) SOUTHWESTERN CORRECTIONS- D.B.A. LASALLE CORRECTIONS
3101 EAST MARLIN HIGHWAY WACO, TEXAS 76705**

Fails to implement policy & practice that prevents its agents from violating both State & Federal Constitutional Due Course, & Due Process of Law mandates afforded to pretrial detainees that protect against agents of LASALLE being deliberately indifferent & or grossly negligent to the medical needs of detainees.

**B.) CORRECTIONS OFFICER ? HICKS
3101 EAST MARLIN HIGHWAY WACO,TEXAS 76705**

Committed acts of being deliberately indifferent & or grossly negligent to the medical needs of RODRICK EUGENE HARRIS & fails to implement practices that prevent being deliberately indifferent & or grossly negligent to the medical needs of pretrial detainees.

**C.)NURSE P.CATES
3101 EAST MARLIN HIGHWAY WACO,TEXAS 76705**

Committed acts of being deliberately indifferent & or grossly negligent to the medical needs of RODERICK EUGENE HARRIS & fails to implement practices that prevent being deliberately indifferent & or grossly negligent to the medical needs of pretrial detainees while operating & or acting in the capacity of providing medical care for detainees.

**D.)UNKNOWN NURSE 1 & 2
3101 EAST MARLIN HIGHWAY WACO, TEXAS 76705**

Committed acts of being deliberately indifferent & or grossly negligent to the medical needs of RODRICK EUGENE HARRIS & fails to implement practices that prevent being deliberately indifferent & or grossly negligent to the medical needs of pretrial detainees while operating & or acting in the capacity of providing medical care for detainees.

**E.)LASALLE CORRECTIONS MEDICAL DEPARTMENT
3101 EAST MARLIN HIGHWAY WACO,TEXAS 76705**

Fails to implement policy & or practices that prevent its medical agents from being deliberately indifferent & or grossly negligent to the medical need of pretrial detainees.

EVENTS

5.

1.)During the intake process, the Plaintiff informed the medical staff at the Jack Harwell Detention Center during their questioning regarding existing medical conditions, that he suffered from "SCARRED LUNGS" a condition with "C.O.P.D." like results which requires medical attention when an episode occurs that limits normal breathing and bodily functions.

2.)On September 10,2018 the Plaintiff was having difficulties breathing when he notified J. Wing Officers S. Brown, S. Carprino, & H.Clayton, at 6pm that he need immediate medical attention.

3.)As the three officers were entering the wing & walking the hall way, they noticed the Plaintiff fighting to breath & coughing up chunks of blood.

4.)On several occasions the wing Officers phoned medical where C.O.? HICKS was working.

5.)On three of several occasions specifically, C.O.? HICKS told C.O. C.BROWN , & C.O. H.CLAYTON that the Plaintiff wouldn't be seen by medical until the female detainees sick calls were done.

6.)Approximately an hour later, when one of the officers called back to medical to notify C.O. ? HICKS that the Plaintiff still needed medical attention, C.O. ? HICKS responded that the Plaintiff would have to wait until one of the two nurses on duty were ready to treat him.

7.)At approximately 6am on September 11,2018 (12 Hours after the breathing episode began)

C.O. M.A. RIDLING entered J-136 at the beginning of their shift to count & do a security check, & noticed the Plaintiff laying under the air vent drenched in sweat & with blood splattered clothing.

8.)At the time of observation C.O. M.A. RIDLING immediately notified the on duty ranking officer SGT.A.ANTHONY.

9.)SGT.A.ANTHONY who's assisted the Plaintiff with getting medical treatment for this on going medical problem on multiple occasions immediately commanded Officer? TORRES to rush the Plaintiff to medical for treatment.

10.)After arriving at the medical department, Nurse P. CATES insisted on doing pill call rounds for the jail, instead of treating the Plaintiff.

11.)After doing pill call Nurse P. CATES returned to medical at around 8:30 am & treated the Plaintiff with a basic breathing treatment & discharged him from medical.

CLAIMS

6.

1,)CLAIM ONE: Defendant LASALLE violated the Plaintiffs 14th Amendment to the UNITED STATES CONSTITUTION by failing to implement policy & or practices within its facilities that prevent its agents from being grossly negligent or deliberately indifferent to & or grossly negligent to the medical need of pretrial detainees housed within its facilities.

2.)CLAIM TWO: Defendant LASALLE violated the Plaintiffs 14th Amendment to the UNITED STATES CONSTITUTION by failing to implement policy & or practices within its facilities that prevents its agents from being grossly negligent or deliberately indifferent to the medical needs of the pretrial detainees housed within its facilities.

3.)CLAIM THREE: Defendant B,C,D,& E, violated the Plaintiffs 14th Amendment to the UNITED STATES CONSTITUTION & Article 1 Section 19 of the TEXAS CONSISTUTION when these Defendants were deliberately indifferent to the Plaintiffs medical need in question, & made him suffer 14 Hours or more before providing medical attention to a medical need that LASALLE

CORRECTIONS & its agents knew existed within the Plaintiff before this particular episode occurred.

4.) CLAIM FOUR: Defendant B,C,D,& E violated the Plaintiffs 14th Amendment to the UNITED STATES CONSTITUTION & Article 1 Section 19 of the TEXAS CONSISTUTION when these Defendants were grossly negligent to the Plaintiffs medical need in question, & made him suffer 14 Hours or more before providing medical attention to a medical need that LASALLE CORRECTIONS & its agents knew existed within the Plaintiff before this particular episode occurred.

RELIEF REQUESTED

7.

PLAINTIFF seeks declaratory judgment against all the DEFENDANTS named as parties in this action.

PLAINTIFF seeks damages in the amount of \$4,000,000.00 for the emotional,mental,physical & psychological harm suffered.

PLAINTIFF also seeks compensation for filing fees, court cost, & attorney fees, as well as punitive damages in the amount deemed appropriate by a jury, but a sum beginning at \$850,000.00

I, the undersigned Plaintiff, RODRICK EUGENE HARRIS, hereby certify, verify & state under the penalty of perjury that the foregoing is true & correct pursuant to Title 28 USC Section 1746.

EXECUTED ON THIS FOURTH DAY OF DECEMBER 2018

RESPECTFULLY SUBMITTED,

PRO-SE DEFENDANTS

RODRICK E. HARRIS

**Rodrick E. Harris 89712
3101 E. Marlin Hwy
Waco, Tx 76705**

TO THE HONORABLE DISTRICT CLERK,

I'M A PRO -SE LITIGANT CURRENTLY HOUSED AT THE JACK HARWELL DETENTION CENTER, & I WOULD LIKE TO BE APPROVED FOR AN APPLICATION TO PROCEED "IN FORMA PAUPERIS" IN THIS COMPLIANT UNDER 42 U.S.C.~1983, I LACK THE SUFFICIENT FINANCIAL RESOURCES TO PAY THE \$350.00 FILING FEE. IF I'M NOT ASKING FOR TOO MUCH WILL YOU PLESES ASSIST ME IN THIS MATTER & SEND ME WHAT EVER PAPER WORK I'M REQUIRED TO PROCEED "IN FORMA PAUPERIS".

THANK YOU FOR YOUR TIME, & YOUR MUCH NEEDED ASSISTANCE....I PRAY YOU HAVE A GREAT DAY.....

WITHOUT PRETENSE,

MR.RODRICK EUGENE HARRIS

RECEIVED

DEC 06 2018

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY CLERK

89712

3101 EAST MARLIN HWY

WACO, TEXAS 76705

DECEMBER 4TH 2018

Jack Harwell Detention Center – Inmate Mail

Inmate Name: Alex No Serrano

ID #: 173490

3201 East Marlin Highway

Waco, TX 76705

U.S. DISTRICT CLERK

U.S. COURTHOUSE, ROOM 380

800 FRANKLIN AVENUE

WACO, TX 76701-5134

Inmate Indigent Mail

